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February 27, 2004

**Personal & Confidential**

Mr. Phillip Owen  
Human Resource Department  
Mountaire Farms  
P.O. Box 710  
Selbyville, DE 19975-0710

**RE: Overtime Request for Various Supervisors**

Dear Mr. Owen:

Please be advised that this office represents a number of individuals who are employed by Mountaire Farms in Selbyville. I have met with each of these individuals and believe that each person is entitled to retroactive overtime pay for the last three years. Under the FLSA, none of these individuals may be categorized as an "exempt employee" and therefore, we are making this demand for overtime compensation.

Most of these individuals have worked in the capacity of a crew leader. They are compensated by Mountaire for the time that the farm opens and have not been paid for any compensation for the significant amount of time that has taken each of these employees to pick up and deliver home the catchers necessary to perform the work at the farm. They have been improperly denied payment for this time. Notwithstanding that some of them may now be salaried employees, each clearly should be compensated for overtime under the FLSA.

Please direct this letter to the appropriate person in your company with whom I may be able to present and discuss each of the claims. My clients are understandably anxious to resolve this matter as soon as possible. If we are unable to resolve this matter immediately, we have been authorized to file a Complaint in the U.S. District Court for the District of Delaware. In such a complaint, we will be seeking a doubling of the overtime due and owing to each of these employees, the costs of the litigation, as well as attorney's fees.

Please be advised that under the FLSA and pertinent federal and state employment laws, it is contrary to law for the employer to punish or, in any other way, retaliate against any of these employees for the claims made against your company.

**EXHIBIT**

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I look forward to hearing from you or a representative of your company.

Very truly yours,



JEFFREY K. MARTIN

JKM:cab

cc: Client(s)